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March 21, 2001

FILE: ARCD:307USD1

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Washington, DC 20231

RE: *SN 09/768,877 "METHODS OF TREATMENT OF TYPE 2 DIABETES" – Kenneth S. Polonsky, et al.*

Sir:

Enclosed for filing in the above-referenced patent application is an Information Disclosure Statement and Form PTO-1449.

No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is hereby authorized to deduct said fees from Fulbright & Jaworski Deposit Account No. 50-1212/10100104/GNS.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,

Gina N Shishima  
Reg. No. 45,104

GNS/mac

Encl.: As noted

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Kenneth S. Polonsky, *et al.*

Serial No.: 09/768,877

Filed: January 23, 2001

For: METHODS OF TREATMENT OF TYPE 2  
DIABETES

Group Art Unit: 1655

Examiner: J. Enewold Goldberg

Atty. Dkt. No.: ARCD:307USD1/GNS

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record.

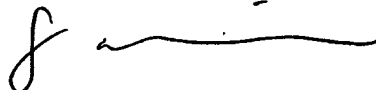
In accordance with 37 C.F.R §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Fulbright & Jaworski Deposit Account No. 50-1212/10100104/GNS.

This application is a divisional application of Serial No. 09/422,869, filed October 21, 1999, and is relied upon for an earlier filing date under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d) copies of the listed documents are not enclosed as they have been previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. 09/422,869.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



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Attorney for Applicants

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Date: 3/2/01